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C O N F I D E N T I A L SECTION 01 OF 02 LISBON 002769

SENSITIVE
SIPDIS

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TAGS: MARR MOPS PGOV PREL PREF PO CU
SUBJECT: PORTUGAL URGES EU TO ACCEPT GUANTANAMO DETAINEES

Classified By: DEPUTY POL/ECON COUNSELOR TROY FITRELL FOR REASONS 1.4 (b, d)

¶1. (U) Portuguese Foreign Minister Luis Amado sent the letter below to his European Union counterparts December 10 calling for an EU response to help the U.S. close the Guantanamo detention center, specifically by accepting detainees for resettlement.

(U) Begin text of letter:

Lisbon, 10 December 2008
As we celebrate the 60th Anniversary of the Universal Declaration of Human Rights, the international community is faced with difficult questions regarding the fight against terrorism and, among them, the issues posed by the existence of the Guantanamo Detention Centre.

As you recall, we undertook a reflection on the future of the transatlantic relations that produced an important policy toolbox. There has been a clear consensus throughout on the need to close this Detention Centre. The policy paper we adopted in Marseille clearly puts an emphasis on urging the US and the EU "to act together more in the Human Rights field, which would prove easier with the closure of the Guantanamo Detention camp".

I believe that Europe should draw the necessary conclusions from the debates held so far, both at the political and legal expert levels, as well as from the stated and welcome intentions of the incoming U.S. Administration. We have made significant progress in finding a common legal platform, and we must also acknowledge, in that regard, the more constructive attitude displayed by the U.S. Department of State.

The time has come for the European Union to step forward. As a matter of principle and consistency, we should send a clear signal of our willingness to help the U.S. Government in that regard, namely through the resettlement of detainees. As far as the Portuguese Government is concerned, we will be available to participate.

Building upon the work already carried out by the French Presidency, I propose that this specific issue be taken up by GAERC.

Please accept, dear colleague, the assurances of my highest consideration.

Luis Amado
Minister of State and Foreign Affairs

End text.

COMMENT

¶2. (C) Amado's chief advisor, Paulo Lourenco, told us today that the letter is a "long overdue" initiative. Ever since Portugal's 2007 EU presidency, FM Amado has focused his energies on strengthening the transatlantic relationship (including writing the Marseille paper mentioned above), and this letter is a manifestation of that interest. Lourenco noted that the detainee issue is highly charged within the EU and is seen as having damaged the transatlantic relationship. He noted, as an example, the continued interest by the European Parliament and the tabloid press into detainee and rendition flights, which can discomfit European governments. FM Amado, said Lourenco, sees the U.S. transition as an ideal time to prod the EU to help the U.S. make progress on Guantanamo and thus to "renovate the transatlantic relationship". He noted that the MFA has already received praise for the initiative, including from human rights organizations normally critical on the Guantanamo issue.

¶3. (C) When asked about next steps, Lourenco confessed that the Portuguese MFA has not yet worked up the details of the proposal, but sees the heavy lifting being done at the EU level. Amado's letter was designed to publicly kickstart the EU, through the GAERC, to develop an agreed "framework policy" on Guantanamo. Portugal has made its decision and will be available to accept some detainees, he confirmed. Lourenco commented that the EU's thinking will build upon work already started in Brussels in discussions with State

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Department Legal Advisor Bellinger. To that end, he added, a visit to Brussels and European capitals by Bellinger and/or S/WCI Clint Williamson --perhaps on the margins of the January GAERC-- would be a useful way for the U.S. to engage.
STEPHENSON